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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,779	11/14/2001	Terrell Jones	8250.1526-00	3140
826	7590	08/01/2005	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			AL HASHEMI, SANA A	
			ART UNIT	PAPER NUMBER
			2161	
DATE MAILED: 08/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/990,779	JONES ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Sana Al-Hashemi	2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 29 June 2005.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-45 is/are pending in the application.  
    4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-45 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

1. This action is issued in response to applicant amendment filed 6/29/05.
2. Claims 1-31 were previously amended. Claims 32-45 were added. None were canceled.
3. Claims 1-45 as amended are pending.
4. Applicant's arguments filed 6/29/05 with respect to claims 1- 45 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-31 are rejected under 35 U.S.C. 102(e) as being unpatentable over Vance et al (US Patent No. 6,442,526).

Regarding Claims 1, and 7, Vance discloses a method for processing a query of a travel database, comprising:

receiving a selected arrival location and a selected departure location (Fig. 14C, orientation and destination, Vance);

finding a set of desirable fares between the arrival location and the departure location (Fig. 14D, Flight list, Vance);

constructing possible itineraries between the arrival location and the departure location associated with the desirable fares (Col. 5, lines 31-33, Vance);

applying a set of rules to the possible itineraries (Col. 8, lines 53-57, Vance);

querying an availability portion of the travel database for available travel units based upon the applied set of rules and the possible itineraries (Fig. 14D, status, Vance); and

displaying the available travel units in at least a portion of a calendar of a calendar-based user interface (Fig. 14D, 372, Vance).

Regarding Claims 2, and 8, Vance discloses a method wherein the calendar-based user interface displays applicability data and availability data simultaneously (Fig. 14D, 372, Vance).

Regarding Claims 3, and 9, Vance discloses a method wherein applicability data comprises an indication of whether a travel unit is allowed on a pre-specified day based on the set of rules (Col. 7, and 8, lines 65-67, and 1-25, respectively, Vance).

Regarding Claims 4, and 10, Vance discloses a method wherein the availability data comprises an indication of whether a travel unit is at least one of (1) available for sale and (2) sold out (Fig. 14D, status, Vance).

Regarding Claims 5, and 11, Vance discloses a method wherein the calendar-based user interface comprises a display of at least a portion of a calendar (Fig. 14E, 376, Vance).

Regarding Claims 6, and 12, Vance discloses a method wherein the display further includes user-selectable hyperlinks for selecting a desired travel date (Fig. 14C, Date and Time, Vance).

Regarding Claim 13, Vance discloses a calendar-based user interface for displaying query results from a database containing travel data comprising:

a calendar showing a plurality of days corresponding to the query; an availability indicator for each of the plurality of days showing available itineraries relating to the query (Fig. 14D, 372, Vance); and

an applicability indicator for each of the plurality of days showing itineraries relating to the query which apply based on a set of rules and restrictions from travel providers (Fig. 14D, Detailed Itinerary, Vance).

Regarding Claims 14, and 17, Vance discloses a user interface wherein the availability indicator comprises a shaded day within the calendar for indicating whether a travel unit is available on the shaded day (Fig. 14E, 376, Vance).

Regarding Claims 15, and 18, Vance discloses a user interface wherein the availability indicator comprises an availability icon associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Fig. 14E, 374, Vance).

Regarding Claims 16, and 19 Vance discloses a user interface wherein the availability indicator comprises a user-selectable hyperlink associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Col. 11, lines 44-56, Vance).

Regarding Claims 20, 25, 26, and 31, Vance discloses a method for administering an availability portion of a relational travel database, comprising:

receiving an availability message from a first travel provider (Fig. 14G, flight list,

Vance);

analyzing the availability message to determine one or more affected travel segments (

Fig. 14Q, Original Reservation, Vance);

querying a schedule portion of the relational travel database for the one or more affected travel segments ( Fig. 14Q, Alternate Reservation, Vance); and

writing a record to an availability portion of the relational database based on a status portion of the availability message if the one or more affected travel segments are found in the schedule portion of the relational database ( Fig. 14Q, Trip Activity Log, Vance).

Regarding Claims 21, and 27, Vance discloses a method further comprising: initializing the relational travel database by processing a snapshot of existing availability messages at a predetermined time into the availability portion of the relational travel database (Fig. 14Q, 406, Vance).

Regarding Claims 22, and 28, Vance discloses a method further comprising:

placing the availability message in a queue corresponding to the first travel provider ( Fig. 14R, 408, Vance).

Regarding Claims 23, and 29, Vance discloses a method further comprising:

processing the availability message corresponding to the first travel provider in parallel with an additional availability message corresponding to a second travel provider (Fig. 14S, 374, Vance).

Regarding Claims 24, and 30, Vance discloses a method further comprising:

adding the availability message to an alternative processing queue if the one or more affected travel segments are not found in the schedule portion of the relational database (column 13, lines 54-64, Vance).

*Response to Amendment*

Applicant arguer, “ Vance does not teach or suggest displaying available units in at least a portion of a calendar based user interface as recited by independent Claims 1 and 7.”

Examiner disagrees. Refereeing to Fig. 14D, Fig. 14F, and Fig. 14G, the 372 is a pop up page that appears for the user to view portion of a calendar based user interface Fig. 14E, 376. Since the claimed invention does not clearly specifies what the units are the displaying of the schedule calendar corresponds to the claimed limitation.

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (571) 272-4013. The examiner can normally be reached on 8Am-4:30 Pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4013. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sana Al-Hashemi  
Patent Examiner  
Technology Center 2100  
July 27, 2005



Sana AL-Hashemi